

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

|                                     |   |                        |
|-------------------------------------|---|------------------------|
| DARREN WINGERTER,                   | ) |                        |
|                                     | ) |                        |
| Plaintiff,                          | ) |                        |
|                                     | ) |                        |
| -vs-                                | ) | Case No. CIV-16-0930-F |
|                                     | ) |                        |
| NANCY A. BERRYHILL, Acting          | ) |                        |
| Commissioner of the Social Security | ) |                        |
| Administration,                     | ) |                        |
|                                     | ) |                        |
| Defendant.                          | ) |                        |

**ORDER**

Plaintiff Darren Wingerter filed this action seeking judicial review of the Social Security Administration's denial of plaintiff's application for Disability Insurance Benefits under Title II of the Social Security Act, and for Supplemental Security Income under Title XVI of the Social Security Act. Magistrate Judge Charles B. Goodwin issued a Report and Recommendation on September 1, 2017 (doc. no. 21), recommending that the court reverse the Commissioner's decision and remand for further administrative findings.


In his Report, the Magistrate Judge advised the parties of their right to file objections by September 15, 2017, and advised that failure to file timely objection to the Report would result in waiver of the right to appeal the factual and legal issues addressed in the Report. Neither party has filed an objection to the Report and neither party has requested an extension of time within which to file any objection to the Report.

With no objection being filed, and having reviewed the Report, the record, and the relevant arguments and authorities, the court finds that no purpose would be

served by setting out any further analysis here and that the Report should be adopted in its entirety.

The court **ACCEPTS**, **AFFIRMS** and **ADOPTS** the findings and recommendations of the Magistrate Judge as stated in his Report and Recommendation. The Social Security Administration's decision is **REVERSED** and this case is **REMANDED** for further administrative findings.

IT IS SO ORDERED this 19<sup>th</sup> day of September, 2017.

  
STEPHEN P. FRIOT  
UNITED STATES DISTRICT JUDGE

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